

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 HOUSE BILL 2068

By: Key

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5
6 AS INTRODUCED

7 An Act relating to state government; creating the
8 Transparency in Agency Lobbying Act; defining term;
9 requiring certain persons to file reports; directing
10 the Secretary of State to prescribe form; providing
11 for contents of reports; providing time to file
12 reports; subjecting reports to the Oklahoma Open
13 Records Act; providing for codification; and
14 providing an effective date.

15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

16 SECTION 1. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 4021 of Title 74, unless there
18 is created a duplication in numbering, reads as follows:

19 A. This section shall be known and may be cited as the
20 "Transparency in Agency Lobbying Act".

21 B. As used in this section, a "legislative liaison" shall mean
22 any state agency employee acting on behalf of the agency to promote
23 or discourage passage of any legislation.

24 C. Every legislative liaison shall file reports required by
this section with the Secretary of State concerning the activities

1 specified in this section. The report shall account for all time
2 spent lobbying on behalf of the state agency once the estimated
3 amount of time exceeds five (5) hours a week. The report shall also
4 account for expenses related to lobbying activities. The following
5 lobbying activities shall not be included in estimates of time and
6 reported expenses:

7 1. Recommendations or reports to the Legislature in response to
8 a legislative request expressly requesting or directing a specific
9 study;

10 2. Recommendations or reports by an agency on a particular
11 subject;

12 3. Official reports including recommendations submitted to the
13 Legislature on an annual or biennial basis by a state agency as
14 required by law;

15 4. Requests by the Chair of a legislative committee for
16 committee work; and

17 5. Required legislative reports necessary for agency
18 performance reviews and budget request hearings.

19 D. The information to be reported pursuant to the provisions of
20 subsection C of this section shall be as follows:

21 1. The full legal name, position, agency of the legislative
22 liaison, agency address, and business telephone number;

23 2. An estimate of time spent on lobbying activities or
24 preparation thereof by any legislative liaison or any other employee

1 of the agency, including but not limited to in-person meetings and
2 telephone calls; and

3 3. Amount of funds expended on lobbying activities, including
4 but not limited to handouts, presentations, meals, gifts and travel.

5 E. The form or computer diskette with form software for reports
6 of the legislative liaison shall be prescribed by the Secretary of
7 State.

8 F. 1. The legislative liaison shall file reports with the
9 Secretary of State every two (2) weeks while the Legislature is in
10 session, and on the last day of every month when the Legislature is
11 not in session, which shall cover the activities during the period
12 following the last report.

13 2. The first report filed by a legislative liaison in January
14 of each odd-numbered year shall be accompanied by a one-hundred-
15 dollar fee, to be charged to the agency of the legislative liaison,
16 for administrative purposes of the Secretary of State's office.

17 G. The Secretary of State, after proper notification by
18 certified mail of past due reports, shall impose an additional
19 penalty of Ten Dollars (\$10.00) per day, to be charged to the agency
20 of the legislative liaison, for each day that a report required to
21 be filed pursuant to this section is not filed by the close of the
22 business day on the day due; except that the Secretary of State may
23 excuse such penalty for bona fide personal emergencies. Revenues
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1 collected from penalties assessed by the Secretary of State shall be
2 deposited in the state General Revenue Fund.

3 H. All reports filed under this section shall be subject to the
4 Oklahoma Open Records Act.

5 SECTION 2. This act shall become effective November 1, 2011.

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